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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 CASE NO.CR05-215P

11 Plaintiff,

12 v.
13 PATRICK SCOTT BRACKETT,
14 Defendant.

15 PROPOSED FINDINGS OF
16 FACT AND DETERMINATION
17 AS TO ALLEGED VIOLATIONS
18 OF SUPERVISED RELEASE

19 INTRODUCTION

20 I conducted a hearing on alleged violations of pre-trial release in this case on September 26, 2005. The United States was represented by Janet Freeman, the defendant was represented by Stewart Riley, Lonnie Kaman was present from U.S. Pre-trial Services. The proceedings were recorded on disk.

21 BACKGROUND

22 Defendant had been placed on pre-trial supervision on May 19, 2005. His trial was assigned to the Hon. Marsha J. Pechman, of this court with trial set for October 31, 2005. . In open court he was advised of the conditions of pre-trial release and, germane here, after one termination, he was readmitted and finally successfully completed treatment at Pioneer center North.

23 The conditions of supervised release included requirements that the defendant comply with the standard 13 conditions.

24 ALLEGED VIOLATIONS AND THE DEFENDANT'S ADMISSION

25 USPTSO Brenda Amundson alleged that the defendant violated the conditions of pre-trial

1 supervision in two respects:

2 (1) By using and consuming cocaine on or about September 15, 2005 in violation of the
3 conditions set forth in the appearance bond;
4 (2) By being terminated from the half-way house on or about September 23, 2005 in
5 violation of the conditions set forth in the appearance bond.

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7 At an initial hearing, I advised the defendant of these charges and of his constitutional rights.
8 At today's hearing the defendant admitted the violations one and two, waived any hearing as to
9 whether it occurred, and consented to having the matter set for a disposition hearing before the
10 Hon. Pechman.

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12 RECOMMENDED FINDINGS AND CONCLUSIONS

13 Based upon the foregoing, I recommend the court find that defendant has violated the
14 conditions of his supervised release as alleged; and set the matter for a disposition hearing.

15 Defendant has been detained pending a final determination by the court.

16 DATED this 28th day of September, 2005.

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MONICA J. BENTON

20 United States Magistrate Judge

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23 cc: Sentencing Judge : Hon. Marsha J. Pechman
24 Assistant U.S. Attorney : Janet Freeman
25 Defense Attorney : Stewart Riley
26 U. S. Pre-Trial Services Officer : Brenda Amundson
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PROPOSED FINDINGS

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